

REMARKS

In response to the Final Office Action dated March 29, 2011 and in response to the Request for Continued Examination filed herewith, claims 27-32 have been amended. Claims 27-32 are now pending in the application.

In paragraph 8 on page 2 of the Final Office Action, claims 27-32 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Applicant respectfully traverses the rejection to the claims.

With regard to claims 27-32, the Final Office Action stated that functionalities of "downloading" and "capturing" are indistinguishable.

Applicant traverses the assertion stating the downloading is the transfer of digital data from one device to another, whereas capturing is the storing of the downloaded digital data in persistent storage. Nevertheless, in the interest of expediting prosecution, Applicant has amended the claims to clarify the claims.

In paragraphs 11-15 on pages 3-4 of the Final Office Action, claims 27-31 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention

More particularly, the Final Office Action states that the location of "a resident object" required further clarification. The recitations of "a resident globally-unique network OID" and "capturing the object by OID when the OID" are unclear because there is ambiguity associated with the OIDs. Additionally, the term "MDR" is unclear and indefinite as to what the aforementioned term "MDR" is to represent.

Applicant respectfully traverses the rejection to the claims, but in the interest of expediting prosecution, Applicant has canceled the claims. Applicant respectfully submits that the new claims do not narrow the scope of the claims, but rather merely clarifies the invention.

In paragraph 16 on page 4 of the Final Office Action, claims 27-32 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Applicant respectfully traverses the rejection, but in the interest of expediting prosecution has amended the independent claims to overcome the rejection.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 865-380-5976. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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PATENT TRADEMARK OFFICE

Respectfully submitted,

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